

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

UNITED STATES OF AMERICA)

v.)

JOHN DOE 2010R03793)

1-19-dm-00050-AJT

JEREMY HAMMOND,)

Movant)
_____)

**MOTION TO VACATE SANCTIONS AND
DECLARATION BY JEREMY HAMMOND**

I, Jeremy Hammond, pursuant to 28 U.S.C. § 1746, declare as follows.

1. I am writing this Declaration to explain that my ongoing refusal to comply with this Court's order to testify in front of the grand jury is a deliberate and well-considered act of civil disobedience. I am prepared to remain behind bars as long as it takes.

2. From an early age, my heart has always been with the oppressed and against the oppressors; and as I became more deeply involved in political activism, I became attracted to the anarchist philosophy and movement. Anarchism is a political theory holding all forms of hierarchy to be unnecessary and oppressive and advocating a society based on mutual aid and solidarity with the marginalized and oppressed. I oppose the systems of government and capitalism, and see the United States, its laws, police force, and courts, as fundamentally illegitimate and unjust. I am also a strong believer in civil disobedience, and in taking a stand for my beliefs, even when that stand comes at great personal risk or cost.

3. I first learned about the concept of civil disobedience from Henry David Thoreau.

In *On Civil Disobedience*, Thoreau wrote about his refusal to pay his taxes, choosing jail over supporting a war that would spread slavery into Mexico. In Dr. King's autobiography, he wrote about reading Thoreau for the first time, which he described as his "first contact with the theory of nonviolent resistance":

Fascinated by the idea of refusing to cooperate with an evil system, I was so deeply moved that I reread the work several times. I became convinced that noncooperation with evil is as much a moral obligation as is cooperation with good. No other person has been more eloquent and passionate in getting this idea across than Henry David Thoreau. As a result of his writings and personal witness, we are the heirs of a legacy of creative protest. The teachings of Thoreau came alive in our civil rights movement; indeed, they are more alive than ever before. Whether expressed in a sit-in at lunch counters, a freedom ride into Mississippi, a peaceful protest in Albany, Georgia, a bus boycott in Montgomery, Alabama, these are outgrowths of Thoreau's insistence that evil must be resisted and that no moral man can patiently adjust to injustice.¹

4. Because I see the United States government as fundamentally illegitimate and unjust, I reject the notion that I have any sort of "obligation to testify" before a grand jury. The additional jail time that I have endured – and may continue to endure – as a penalty for refusing to testify will never cause me to betray the ideas which have given my life meaning and purpose. The wasted effort to induce my testimony is merely a political maneuver, meant to punish me for my beliefs and history, delay my release, and send a message to others.

5. My refusal to testify is based on an educated understanding of the grand jury process and the criminal justice system as a whole. I know how prosecutors can easily manipulate a grand jury in secret to win an indictment against their target nearly every time – unless the target of the grand jury is a police officer. I know how grand juries are commonly abused to prosecute social justice movements and marginalized communities under the false

¹ King, M. L. "Morehouse College" (Chapter 2 of *The Autobiography of Martin Luther King, Jr.*)

guise of a supposed criminal investigation. I also know that the grand jury is a tool that is used unequally and does not seem to obligate or have any consequence for the powerful. Right now, Trump and his cabal are actively obstructing investigations into their own crimes, including refusing to comply with subpoenas and grand juries, actions for which none of them have spent a day in jail. I know also that nearly every country in the world has abandoned the grand jury in favor of a more transparent and adversarial process. And in regards to the purportedly “coercive confinement” I am under to induce me to testify, I know that the UN Special Rapporteur on torture Nils Melzer is urging the U.S. to abandon the practice, as it is “incompatible with international human rights obligations.

6. I’ve been arrested more than a dozen times and have spent time in a dozen jails and prisons across the country. Altogether I’ve done ten years behind bars, eight on this bid, and nearly a year of it in solitary. The conditions at Alexandria Detention Center are qualitatively worse than FCI Memphis. At Memphis, there was sunlight and fresh air. I had access to programs and could receive magazines and books in the mail. Here, I have none of those things. But in many ways, a jail is a jail. In prison, the veneer of democracy and justice that the United States pretends to stand for is washed away, revealing so clearly the lines between oppressed and oppressor. The deprivation of rights, violations of privacy, and daily dehumanization that comes with imprisonment are the same at every facility where I have been imprisoned where humans are kept in cages. These conditions have simply become the norm for me, my everyday reality that I have long ago learned to cope with. Far from having “rehabilitative” effect in making me a “model citizen” or “model inmate,” incarceration has only made me a stronger, more resilient person, more deeply committed to my beliefs and to the abolition of the prison industrial

complex. I wouldn't want anyone else to ever have to go through this, and I will never participate in a process that could result in anybody's imprisonment.

7. When I was arrested in 2012, I was disappointed to discover that one of my supposed comrades had been cooperating with the FBI to bring me down. I was given the same option – an opportunity to betray others in exchange for a lighter sentence. But even though I knew that I would likely get the maximum sentence, I refused to cooperate, taking responsibility for my own actions without informing on others.

8. At my sentencing hearing, I defended my actions as necessary civil disobedience to expose and disrupt the abuses of law enforcement and the security establishment. My views on my actions are unchanged. To the best of my ability behind bars, I have continued my involvement in the movement by periodically releasing statements on prison conditions or current events, by spreading the spirit of solidarity and resistance among my fellow prisoners, and by maintaining relationships with my comrades, old and new.

9. This network of relationships include people I've lived with, worked with, marched with, been arrested with, done time with, and many new friends who share similar commitments that want to express their solidarity, has very much inspired and sustained me through the years and I look forward to the day in which I can join them in the streets. My network of relationships also includes other Grand Jury Resisters, some of whom I've corresponded with from prison, some whom I've done time with, who are all now supporting me in this struggle. Many prominent movement figures that have inspired my political awakening, such as Bernardine Dohrn and Mutulu Shakur, have also resisted the grand jury. And Chelsea Manning, whose courage had inspired me to get back into hacking, is currently fighting this

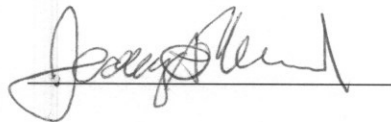
same fight, imprisoned in the very jail where I am currently being held. I could never turn my back on any of these brave people, no matter how much jail time they threaten me with.

10. If there is anything this experience has taught me, it is that I am more committed than ever to my anarchist ideals and beliefs, and that there is absolutely nothing that the U.S. government can do to make me betray those beliefs. I refuse with every fiber of my being.

I declare under penalty of perjury that the foregoing is true and correct.

Date: March 11, 2020

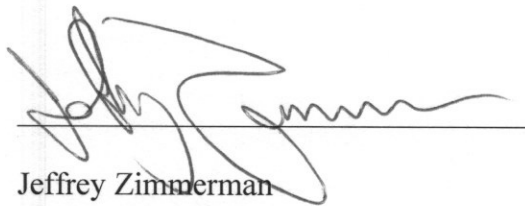
Alexandria, VA

A handwritten signature in black ink, appearing to read 'Jeremy Hammond', written over a horizontal line.

Jeremy Hammond

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of March 2020, a true and accurate copy of the foregoing was served on Gordon Kromberg, Assistant United States Attorney, 2100 Jamieson Ave, Alexandria, Virginia, 22314, Gordon.Kromberg@usdoj.gov



Jeffrey Zimmerman